

Paired

Senator Aikin (present), who would vote yea, with Senator Winfield (absent), who would vote nay.

Question—Shall the bill be passed?

Pending an address by Senator Hill on the question, "Shall the bill be passed?" Senator Pace asked unanimous consent to move:

That Senator Hill be allowed to continue his address when further consideration of H. B. No. 92 is resumed, and that the Senate adjourn until 10:00 o'clock a. m., next Monday, March 20, 1939.

There was no objection offered to the request, and Senator Pace made the motion as stated.

Yeas and nays were demanded, and the motion was lost by the following vote:

Yeas—12

Aikin	Pace
Beck	Roberts
Hill	Shivers
Isbell	Stone
Lanning	of Washington
Metcalf	Weinert
Moffett	

Nays—13

Burns	Lemens
Collie	Martin
Cotten	Moore
Graves	Nelson
Hardin	Stone
Head	of Galveston
Kelley	Sulak

Absent

Van Zandt

Absent—Excused

Brownlee	Spears
Redditt	Winfield
Small	

Question recurred—Shall the bill be passed?

Senator Hill continued his address.

Adjournment

Senator Roberts moved that the Senate adjourn until 10:00 o'clock a. m., Monday, March 20, 1939.

Yeas and nays were demanded, and vote on the motion to adjourn was announced:

Yeas 12, Nays 12.

The President voted yea, and the motion prevailed by the following vote:

Yeas—13

Mr. President	Moffett
Aikin	Pace
Beck	Roberts
Hill	Shivers
Isbell	Stone
Lanning	of Washington
Metcalf	Weinert

Nays—12

Collie	Martin
Cotten	Moore
Graves	Nelson
Hardin	Stone
Head	of Galveston
Kelley	Sulak
Lemens	

Absent

Burns Van Zandt

Absent—Excused

Brownlee	Spears
Redditt	Winfield
Small	

The Senate, accordingly, at 1:35 o'clock p. m., adjourned until 10:00 o'clock a. m. Monday, March 20, 1939.

THIRTY-NINTH DAY

(Monday, March 20, 1939)

The Senate met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by President Stevenson.

The roll was called, and the following Senators were present:

Aikin	Moffett
Beck	Moore
Brownlee	Nelson
Burns	Pace
Collie	Redditt
Cotten	Roberts
Graves	Shivers
Hardin	Small
Head	Spears
Hill	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Van Zandt
Martin	Weinert
Metcalf	Winfield

Absent—Excused

Sulak

A quorum was announced present.

The invocation was offered by the Chaplain.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of Friday, March 17, 1939, was dispensed with and the Journal was approved.

Leave of Absence Granted

Senator Sulak was granted leave of absence for today on account of important business, on motion of Senator Aikin.

Senate Bill on First Reading

The following general appropriation bill was introduced, read first time, and referred to the committee indicated:

By Senator Roberts:

S. B. No. 403, A bill to be entitled "An Act making an appropriation for the support and maintenance of the Judiciary of the State of Texas for the biennium beginning September 1, 1939, and ending August 31, 1941; requiring certain fees paid to clerks or officers of all Appellate Courts to be deposited monthly in the State Treasury; prescribing certain rules and restrictions respecting the expenditures of appropriations made herein; suspending all laws in conflict herewith; declaring the invalidity of any portion of this Act shall not affect any other portion; and declaring an emergency."

Referred to Committee on Finance.

Message from the Governor

The President laid before the Senate, and had read, the following message:

Austin, Texas,
March 20, 1939.

To the Senate of the Forty-sixth Legislature.

I ask the advice, consent and confirmation of the Senate to the following appointment:

To be a member of the Board of Directors of the Agricultural and Mechanical College of Texas (for the

unexpired term ending January 10, 1943):

H. L. Kokernot, Jr., of Jeff Davis County.

Respectfully submitted,

W. LEE O'DANIEL,
Governor of Texas.

The message was referred to the Committee on Nominations of the Governor.

Committee Substitute for Senate Bill 9 on Second Reading

(Special order)

The President laid before the Senate, as a special order for this hour, on its second reading and passage to engrossment:

C. S. S. B. No. 9, A bill to be entitled: "An Act providing that there shall hereafter be paid out of the revenue of this State, on the last day of each month, to each actual bona fide citizen of this State over the age of sixty-five years the sum of Fifteen (\$15.00) Dollars per month as old age assistance, providing that no habitual criminal, and no habitual drunkard, while such habitual drunkard, and no inmate of any State supported institution, while such inmate, shall be eligible for such old age assistance; providing that the length of time of actual residence in Texas shall never be less than five years during the nine years immediately preceding the application for old age assistance and continuously for one year immediately preceding such application. Providing that the officers charged with the administration of this Act shall receive from the Government of the United States financial aid for old age assistance; and that they shall pay out such old age assistance received from the Government of the United States to those persons in need as provided herein and all such funds shall be kept and disbursed separately. Providing that the County Commissioners Court of the respective counties and the State Comptroller shall administer this Act. Providing the method of procedure by which applicants may qualify for and obtain such old age assistance; defining the duties of the Commissioners Court, and of the County Clerk and the Attorney General and the Comptroller in connection with the administration of this Act, giving the right of appeal; repealing all laws and parts of

laws in conflict herewith, and declaring an emergency."

The bill was read second time.

Question—Shall the bill be passed to engrossment?

Recess

On motion of Senator Spears and by unanimous consent, the Senate, at 10:15 o'clock a. m., took recess to 11:00 o'clock a. m. today, out of respect to the memory of Hon. J. J. Olsen, Representative of the Twenty-third Representative District, whose death occurred at Yoakum, Texas on March 18, 1939.

After Recess

The President called the Senate to order at 11:00 o'clock a. m.

Senate Resolution 45

Senator Martin offered the following resolution:

Whereas, Today, March 20, 1939, is a memorable day in that it is the birthday of our beloved President, the Honorable Coke R. Stevenson; and

Whereas, The Senate and each member thereof desire to express their appreciation of this great and good man, and take this occasion to commend him to the entire citizenship of Texas as an outstanding statesman, whose qualities of patience, fairness, and foresight are characteristics well-known to all those of his acquaintance; now, therefore, be it

Resolved That it is the wish of each Member of the Senate that the Honorable Coke R. Stevenson be extended congratulations on his arriving at his fifty-first milestone, and to express the wish and hope that his life be extended for many more useful years.

MARTIN.

(Signed)—Aikin, Beck, Brownlee, Burns, Collie, Cotten, Graves, Hardin, Head, Hill, Isbell, Kelley, Lanning, Lemens, Martin, Metcalfe, Moffett, Moore, Nelson, Pace, Redditt, Roberts, Shivers, Small, Spears, Stone of Galveston, Stone of Washington, Sulak, Van Zandt, Weinert, Winfield.

The resolution was read; and by unanimous consent, it was considered at this time.

On motion of Senator Martin and by unanimous consent, the names of all Senators were added to the resolution as signers thereof.

The question on the adoption of the resolution was put by the Secretary, and the resolution was adopted unanimously by a rising vote.

Bills Signed

The President signed, in the presence of the Senate, after their captions had been read, the following enrolled bills:

S. B. No. 271, "An Act creating the 127th District Court of Harris County; defining its jurisdiction; adjusting the business of the existing District Courts to the business thereof; prescribing the duties of the District Clerk with respect thereto; providing for the appointment of a District Judge therefor; repealing all laws in conflict therewith to the extent of such conflict only, and declaring an emergency."

S. B. No. 252, "An Act creating a special road law for Zapata County, Texas, providing that said County may fund or refund the indebtedness outstanding against its Road and Bridge Fund as of January 1, 1939, setting forth the method of operation; validating the indebtedness proposed to be funded or refunded; validating all acts and proceedings heretofore had by the Commissioners' Court of said County, and officers thereof, in respect to the funding or refunding of said indebtedness; providing this law shall be cumulative of General Laws on the subject of roads and bridges and General Laws on funding or refunding bonds, not in conflict herewith; enacting provisions incident and relating to the subject and purpose of this Act; repealing all laws in conflict, and declaring an emergency."

Senate Bill on First Reading

Senator Cotten moved that the rule relative to the introduction of bills after the first 60 days of the Regular Session of the Legislature be suspended to permit the introduction of a general bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—29

Aikin	Moffett
Beck	Moore
Brownlee	Nelson
Burns	Pace
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Hill	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Van Zandt
Lemens	Weinert
Martin	Winfield
Metcalfe	

Absent—Excused

Redditt	Sulak
---------	-------

The following bill then was introduced, read first time, and referred to the committee indicated:

By Senator Cotten:

S. B. No. 404, A bill to be entitled "An Act amending Section 1 of Chapter 152, Acts, Regular Session of the Forty-second Legislature relating to fees to be charged and collected by the Board of Insurance Commissioners, so that hereafter said Section 1, which is Article 3920, R. C. S. of Texas, shall read as follows, and declaring an emergency."

Referred to Committee on Insurance.

**Committee Substitute for Senate
Bill 9 on Engrossment**

(Special Order)

The Senate resumed consideration of the pending special order, same being Committee Substitute S. B. No. 9, relative to payment of old age assistance, on its passage to engrossment.

Question—Shall the bill be passed to engrossment?

Senator Spears offered the following amendment to the bill:

Amend Section 6, S. B. No. 9, by striking out all of said section beginning with the words:

"There shall be two classes of grants, viz:"

and ending with the words:

"in class B shall be of equal amount."

Question—Shall the amendment be adopted?

Recess

On motion of Senator Moore, the Senate, at 12:45 o'clock p. m., took recess to 3:00 o'clock p. m., today.

Afternoon Session

The Senate met at 3:00 o'clock p. m. and was called to order by the President.

Report of Standing Committee

Senator Hardin, by unanimous consent, submitted at this time the following report of the Committee on Counties and County Boundaries:

Austin, Texas,
March 20, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred

H. B. No. 607 A bill to be entitled "An Act amending H. B. No. 72, Chapter 39, page 83, Section 4 of the General and Special Laws of the Forty-second Legislature, First Called Session, 1931, providing for manner of paying salaries for rural school supervisors in Van Zandt County; and declaring an emergency,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

HARDIN, Chairman.

**Committee Substitute Senate Bill 9
On Passage to Engrossment**

(Special Order)

The Senate resumed consideration of the pending special order, same being Committee Substitute S. B. No. 9, on its passage to engrossment, with amendment by Senator Spears pending.

Question—Shall the amendment be adopted?

Senator Small moved that the bill and pending amendment be tabled subject to call.

Yeas and nays were demanded, and the motion to table subject to call was lost by the following vote:

Yeas—12

Isbell	Small
Martin	Stone
Moore	of Washington
Nelson	Van Zandt
Pace	Weinert
Redditt	Winfield
Roberts	

Nays—18

Aikin	Kelley
Beck	Lanning
Brownlee	Lemens
Burns	Metcalfe
Collie	Moffett
Cotten	Shivers
Graves	Spears
Hardin	Stone
Head	of Galveston
Hill	

Absent—Excused

Sulak

Senator Lanning moved to table the amendment.

Yeas and nays were demanded, and the motion to table was lost by the following vote:

Yeas—14

Aikin	Isbell
Beck	Lanning
Burns	Lemens
Collie	Metcalfe
Cotten	Pace
Hardin	Redditt
Head	Shivers

Nays—15

Brownlee	Small
Graves	Spears
Hill	Stone
Kelley	of Galveston
Martin	Stone
Moffett	of Washington
Moore	Weinert
Nelson	Winfield
Roberts	

Absent

Van Zandt

Absent—Excused

Sulak

Question recurring on the amendment, yeas and nays were demanded.

The amendment was lost by the following vote:

Yeas—7

Martin	Spears
Moore	Weinert
Roberts	Winfield
Small	

Nays—21

Aikin	Kelley
Beck	Lanning
Brownlee	Lemens
Burns	Metcalfe
Collie	Moffett
Cotten	Nelson
Graves	Pace
Hardin	Redditt
Head	Shivers
Hill	Stone
Isbell	of Galveston

Absent

Stone	Van Zandt
of Washington	

Absent—Excused

Sulak

Senator Spears offered the following amendment to the bill:

Amend Committee Substitute S. B. No. 9, Section 7, Paragraph B by striking out the following:

"with a population less than 50,000 according to the 1930 census," and by striking out all of Sub-Section "a".

The amendment was adopted.

Senator Spears offered the following amendments to the bill:

(1)

Amend Committee Substitute S. B. No. 9, Section 7, Sub-Section c, by striking out the following: "of less than 50,000 population" wherever it appears.

(2)

Amend Committee Substitute S. B. No. 9, Section 7, Sub-Section c, by striking out the words "County Supervisor" wherever they appear.

The amendments were adopted severally.

Senator Brownlee offered the following amendment to the bill:

Amend Substitute for S. B. No. 9 by striking out the last word in line 12 and the first three words of line 13, page 5, and being the following

language, to-wit: "previous standard of living" and also the comma after the last of said words.

The amendment was adopted.

Senator Pace offered the following amendment to the bill:

Amend Committee Substitute S. B. No. 9 by changing "1937" to "1939" in line 10, Sec. 8.

The amendment was adopted.

Senator Hill offered the following amendment to the bill:

Amend Substitute for S. B. No. 9, by adding a new section to be as follows:

Section 1a. It is the policy of the Legislature that pensions provided herein shall be paid equally and uniformly and further that the ability of relatives to contribute shall not be considered in passing on the eligibility of an applicant.

HILL,
AIKIN.

The amendment was adopted.

By unanimous consent, it was ordered that the caption be amended to conform to changes made in the body of the bill.

Senator Small moved that the bill be tabled subject to call.

Yeas and nays were demanded, and the motion to table subject to call was lost by the following vote:

Yeas—14

Isbell	Shivers
Martin	Small
Moffett	Stone
Moore	of Washington
Nelson	Van Zandt
Pace	Weinert
Redditt	Winfield
Roberts	

Nays—15

Aikin	Hill
Beck	Kelley
Brownlee	Lanning
Burns	Lemens
Collie	Metcalf
Cotten	Spears
Graves	Stone
Hardin	of Galveston

Absent

Head

Absent—Excused

Sulak

Question—Shall the bill be passed to engrossment?

Message from the House

A Clerk from the House was recognized to present the following message:

Hall of the House of Representatives,
Austin, Texas, March 20, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

H. B. No. 249, A bill to be entitled "An Act concerning the liquidation, rehabilitation, reorganization or conservation of insurers doing business in more than one State, and placing same under the Board of Insurance Commissioners; providing for the appointment of a liquidator by the Board of Insurance Commissioners; defining certain words and phrases used in this Act; providing for the appointment of a liquidator of the Board as receiver for an insurer and outlining his duties as such receiver; providing for ancillary delinquency proceedings and providing method of filing claims of resident and non-resident claimants, outlining priority of various types of claims; defining powers of receivers and ancillary receivers, and declaring an emergency."

H. B. No. 49, A bill to be entitled "An Act amending Articles 3704, 3705, 3706, 3707, 3709, 3711 and 3738 of the Revised Civil Statutes of 1925; providing for the issuance of subpoenas in civil cases; providing for the style and form of such subpoenas; providing that all witnesses so summoned shall be required to attend court in obedience thereto, and that failing to so attend, any such witness may be fined by the Court as for a contempt of court, and an attachment may issue against the body of such witness to compel attendance; providing that any witness refusing to give evidence may be committed to jail, there to remain without bail until such witness shall consent to give evidence; providing for the taking of depositions of witnesses in civil suits, and that the failure to obtain the deposition of any

witness, male or female, residing in the County in which the suit is pending, shall not be regarded as want of diligence where diligence has been used to secure the personal attendance of any such witness by the service of a subpoena or attachment, and declaring an emergency."

H. B. No. 365, A bill to be entitled "An Act authorizing the Commissioners Court of any county having a population of not less than four thousand, six hundred and thirty-seven (4,637) and not more than four thousand, seven hundred (4,700) inhabitants, according to the last preceding Federal Census, to allow each County Commissioner the sum of Twenty-five (\$25.00) Dollars per month for traveling expenses; providing for the source of payment of such expenses, and declaring an emergency."

H. B. No. 191, A bill to be entitled "An Act to provide for the chartering of non-profit corporations to be organized for the purpose of furnishing group hospital service, and to provide for the methods of operation, regulation and supervision of such corporations and of their contracts; providing exemption from Title 78 of the Revised Civil Statutes of 1925, and declaring an emergency."

H. B. No. 459, A bill to be entitled "An Act to amend Article 1965 of the Revised Civil Statutes as amended by Chapter 48, Acts, 1929, Forty-first Legislature, First Called Session, by providing the time for the County Judge to sign minutes of probate proceedings, and declaring an emergency."

H. B. No. 541, A bill to be entitled "An Act amending Article 6871, Title 120, Revised Civil Statutes, 1925, and declaring an emergency."

H. B. No. 654, A bill to be entitled "An Act making it unlawful to trap, snare, shoot, catch or kill any wild fox in Nacogdoches County for a period of two (2) years; providing certain exceptions; and providing a penalty therefor."

H. B. No. 656, A bill to be entitled "An Act to amend Articles 3334-3334A, Title 54 of the Revised Civil Statutes of Texas, Revision 1925, as amended by adding a section to be known as Article 3334B, validating the Acts of Probate Courts in certain cases, and declaring an emergency."

H. B. No. 666, A bill to be entitled "An Act to declare it unlawful to take, hunt, trap, ensnare, kill, or attempt to kill by any means whatsoever any pheasants, blue quail or bob white in Comanche County for a period of four (4) years from and after the passage of this Act; providing for the protection of crops and gardens being destroyed by pheasants, blue quail or bob whites; providing a penalty therefor, and declaring an emergency."

H. B. No. 769, A bill to be entitled "An Act to amend Article 326 of the Penal Code of the State of Texas, and declaring an emergency."

H. B. No. 785, A bill to be entitled "An Act amending Article 2232, Revised Civil Statutes of Texas, 1925."

H. B. No. 798, A bill to be entitled "An Act amending Article 1728 of the Revised Civil Statutes of Texas, 1925, with respect to appellate jurisdiction of the Supreme Court; regulating the form of the order of the Court in respect to the granting, refusing or dismissing the application for writ of error; repealing all laws and parts of laws in conflict, and declaring an emergency."

H. B. No. 813, A bill to be entitled "An Act making it unlawful to hunt, shoot or kill any deer for a period of five years in Somervell County, Texas; fixing a penalty; repealing all laws or parts of laws in conflict herewith in so far as they apply to Somervell County, and declaring an emergency."

H. B. No. 546, A bill to be entitled "An Act amending Chapter 57, Local and Special Laws of the State of Texas, passed at the Third Called Session of the Thirty-sixth Legislature, by changing the name of Blythe County Line Independent School District in Gaines, Terry and Yoakum Counties to Seagraves Independent School District; redefining the boundaries of said school district; providing that all outstanding bonded and other indebtedness of Blythe County Line Independent School District shall be validated and made a valid obligation against the Seagraves Independent School District; providing that title to all public free school property of said Blythe County Line Independent School District shall vest in said Seagraves Independent School District; providing that in all other respects the rights, powers, duties

and obligations imposed upon Blythe County Line Independent School District and its trustees shall not be affected in any manner, and declaring an emergency."

H. B. No. 559, A bill to be entitled "An Act authorizing the Commissioners' Court in any county having a population of not less than seventy-four thousand (74,000) and not more than seventy-six thousand (76,000), according to the last preceding United States Census and not less than Forty-one Million (\$41,000,000) Dollars and not more than Forty-five Million (\$45,000,000) Dollars taxable valuation, according to the last available tax roll to allow each County Commissioner in such counties certain expenses for traveling and in connection with the use of his automobile on official business requiring each such Commissioner to pay the expenses of operation and repair of each automobile used by him without further expense to the county, and declaring an emergency."

H. B. No. 565, A bill to be entitled "An Act to amend Section 3 of Chapter 506 of the General Laws of the State of Texas passed at the Regular Session of the Forty-fifth Legislature providing for parties and procedure in tax suits; and providing for persons owning property or an interest therein whose names are unknown to be made parties in such suits under designation of 'Unknown Owner or Owners' of such property; providing for heirs of deceased persons whose names are unknown to be made parties to such suits under designation of 'Unknown Heirs' of such deceased person; providing for citation and service upon defendants in such suits whose residence is known and upon absent and non-resident defendants; and providing for notice to be given by publication or posting and prescribing the form and manner of giving such notice, in cases where defendants in such suits are non-residents of the State, and where the names of owners are unknown to the attorney filing the suit, and where defendants are the heirs of deceased person and their names are unknown; and providing that citation or notice on behalf of any taxing unit shall require all parties to the suit to plead and answer all pleadings then on file or thereafter filed by any party to the suit, and declaring an emergency."

H. B. No. 566, A bill to be entitled "An Act authorizing persons residing in County Line School Districts and who are otherwise qualified voters to vote for County School Trustees of the County having management and control of such County Line School District, even though such voters reside in that portion of the County Line District lying outside of the County having management and control of the County Line District; repealing all laws and parts of laws in conflict herewith to the extent of such conflict, and declaring an emergency."

H. B. No. 587, A bill to be entitled "An Act providing the amount of traveling expenses that shall be allowed by the County Board of Trustees to the County Superintendent of Public Instruction for expenditures for traveling expenses in certain counties, according to the last preceding Federal Census or any subsequent Federal Census; repealing all laws and parts of laws in conflict herewith to the extent of the conflict only, and declaring an emergency."

H. B. No. 612, A bill to be entitled "An Act amending Article 600-A of Vernon's Revised Civil Statutes, such Article being the Acts of 1935, Forty-fourth Legislature, page 255, Chapter 100, by adding another Section to Article 600-A to be known as Section 33-A; providing that every sale or contract of sale of any security in violation of any provision of Chapter 100 of the General Laws of Texas, 1935, shall be voidable at the election of the purchaser; providing how the purchaser may recover at law; providing the time that such cause of action may be brought; providing an exception thereto when the purchase price is a royalty or a mineral interest in land and such security is unregistered or sold through an unregistered agent; providing the time when any existing cause of action not now barred may be brought, and declaring an emergency."

H. B. No. 637, A bill to be entitled "An Act to amend paragraph (c) of Section 1, and paragraph (c) of Section 2, of Chapter 299, House Bill No. 759, Acts of the Regular Session of the Forty-fifth Legislature; defining the word 'trapper,' and providing fees for licenses to engage in the taking of fur-bearing animals, and in selling the pelts thereof; repealing

all laws in conflict, and declaring an emergency."

H. B. No. 837, A bill to be entitled "An Act to amend Section 6 of House Bill No. 303, Chapter 245, page 856, as amended by the Acts of the Regular Session of the Forty-third Legislature as amended by House Bill No. 373, Chapter 264, page 651, of the Acts of the Regular Session of the Forty-fourth Legislature as amended by House Bill No. 893, Chapter 257, Acts of the Regular Session of the Forty-fifth Legislature to exempt from the provisions of said Act associations which are not operated for profit and which pay no commissions to anyone and whose operating expense does not exceed One Hundred (\$100) Dollars per month, and which limit their membership to employees and the families of employees of any designated firm, corporation, or individual; making certain exemptions from the provisions of the Act and especially exempting hospitals located on the county line between counties where the hospital building is located in a city located on the county line between two counties and where said hospital serves the inhabitants of two counties; providing that the exemption now applied in Section 6 shall apply to such hospitals; repealing all laws or parts of laws in conflict therewith, and declaring an emergency."

H. B. No. 844, A bill to be entitled "An Act to repeal House Bill No. 579, Acts of the Regular Session of the Forty-fourth Legislature, making it unlawful for any person to take or catch any fish in the waters of any stream, lake, pool, or reservoir of certain counties in this State during the months of April and May of each year; fixing a penalty, and declaring an emergency."

H. B. No. 853, A bill to be entitled "An Act providing for salary to be paid County Superintendent of Schools in certain counties, and declaring an emergency."

H. B. No. 862, A bill to be entitled "An Act authorizing Precinct No. 4 in Lipscomb County, Texas, by vote of the people to determine whether or not they will authorize in said Precinct, the issuance of bonds and levying and collection of the tax not to exceed ten (10c) cents on the One Hundred (\$100.00) Dollar valuation on all property in said Precinct; pro-

viding interest on said bonds; providing tax to apply on real and personal property; providing for purchase of site within said Precinct; providing election authorizing construction of lake and recreational park, and declaring an emergency."

H. B. No. 866, A bill to be entitled "An Act to provide for traveling expenses for members of the Commissioners Courts in certain counties, and declaring an emergency."

H. B. No. 806, A bill to be entitled "An Act providing for and fixing compensation for County Auditor in certain counties, and declaring an emergency."

Respectfully submitted,

E. R. LINDLEY,

Chief Clerk, House of Representatives.

House Bills on First Reading

The following bills, received from the House on Friday, March 17, 1939, were laid before the Senate, read severally first time, and referred to the committees indicated:

H. B. No. 27, to Committee on Civil Jurisprudence.

H. B. No. 28, to the Committee on Civil Jurisprudence.

H. B. No. 29, to the Committee on Civil Jurisprudence.

H. B. No. 31, to the Committee on Civil Jurisprudence.

H. B. No. 38, to the Committee on Civil Jurisprudence.

The following bills received from the House today, were laid before the Senate, read severally first time, and referred to the committees indicated:

H. B. No. 612, to Committee on Civil Jurisprudence.

H. B. No. 637, to Committee on Game and Fish.

H. B. No. 654, to Committee on Game and Fish.

H. B. No. 566, to Committee on Education.

H. B. No. 565, to Committee on Civil Jurisprudence.

H. B. No. 559, to Committee on Counties and County Boundaries.

H. B. No. 587, to Committee on Counties and County Boundaries.

H. B. No. 546, to Committee on Education.

H. B. No. 541, to Committee on Counties and County Boundaries.

H. B. No. 459, to Committee on Civil Jurisprudence.

H. B. No. 191, to Committee on State Affairs.

H. B. No. 365, to Committee on Counties and County Boundaries.

H. B. No. 49, to Committee on Civil Jurisprudence.

H. B. No. 249, to Committee on Insurance.

H. B. No. 806, to Committee on Judicial Districts.

H. B. No. 866, to Committee on Counties and County Boundaries.

H. B. No. 862, to Committee on State Affairs.

H. B. No. 853 to Committee on Counties and County Boundaries.

H. B. No. 844 to Committee on Game and Fish.

H. B. No. 837, to Committee on Insurance.

H. B. No. 813, to Committee on Game and Fish.

H. B. No. 798, to Committee on Civil Jurisprudence.

H. B. No. 785, to Committee on Civil Jurisprudence.

H. B. No. 769, to Committee on Criminal Jurisprudence.

H. B. No. 666, to Committee on Game and Fish.

H. B. No. 656, to Committee on Civil Jurisprudence.

Senate Bill 213 with House Amendments

Senator Shivers called up Senate Bill No. 213 from the President's table for consideration of the House amendments to the bill.

The President laid the bill before the Senate, and the House amendments were read.

The Senate concurred in the House amendments by the following vote:

Yeas—30

Aikin	Graves
Beck	Hardin
Brownlee	Head
Burns	Hill
Collie	Isbell
Cotten	Kelley

Lanning
Lemens
Martin
Metcalf
Moffett
Moore
Nelson
Pace
Redditt
Roberts

Shivers
Small
Spears
Stone
of Galveston
Stone
of Washington
Van Zandt
Weinert
Winfield

Absent—Excused

Sulak

Senate Bill 39 with House Amendments

Senator Spears called up Senate Bill No. 39 from the President's table for consideration of the House amendments to the bill.

The President laid the bill before the Senate, and the House amendments were read.

The Senate concurred in the House amendments by the following vote:

Yeas—30

Aikin
Beck
Brownlee
Burns
Collie
Cotten
Graves
Hardin
Head
Hill
Isbell
Kelley
Lanning
Lemens
Martin
Metcalf

Moffett
Moore
Nelson
Pace
Redditt
Roberts
Shivers
Small
Spears
Stone
of Galveston
Stone
of Washington
Van Zandt
Weinert
Winfield

Absent—Excused

Sulak

Report of Standing Committee

Senator Moffett, by unanimous consent, submitted at this time the following report of the Committee on Education:

Austin, Texas,
March 20, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Education, to whom was referred

S. B. No. 338, by Moffett, A bill to be entitled "An Act to fix the maximum rate to be levied for school pur-

poses in all independent school districts which include within their limits an incorporated city or town which according to the then last Federal Census had a population of not fewer than four thousand, four hundred fifty (4,450) and not more than four thousand, four hundred eighty-five (4,485) inhabitants, whether organized under General or Special Law; repealing all Laws in conflict herewith, both General and Special, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

AIKIN, Chairman.

Senate Bill 209 on Second Reading

On motion of Senator Stone of Washington and by unanimous consent, the regular order of business was suspended, to permit consideration of S. B. No. 209 at this time.

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 209, A bill to be entitled "An Act amending Chapter 49 of the General and Special Laws of the Third Called Session of the Forty-third Legislature being H. B. No. 65, page 100 of the General and Special Laws of the Third Called Session of the Forty-third Legislature, making it unlawful to kill wild fox, or to take or have in one's possession for barter or sale the pelts of wild fox, in certain counties; providing a penalty for violation of this Act, and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 209 on Third Reading

Senator Stone of Washington moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 209 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Collie
Beck	Cotten
Brownlee	Graves
Burns	Hardin

Head	Redditt
Hill	Roberts
Isbell	Shivers
Kelley	Small
Lanning	Spears
Lemens	Stone
Martin	of Galveston
Metcalf	Stone
Moffett	of Washington
Moore	Van Zandt
Nelson	Weinert
Pace	Winfield

Absent—Excused

Sulak

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

House Bill 185 on Second Reading

On motion of Senator Hardin and by unanimous consent, the regular order of business was suspended, to permit consideration of H. B. No. 185 at this time.

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 185, A bill to be entitled "An Act validating election heretofore held, authorizing the issuance of waterworks revenue bonds, and the bonds when issued, approved and registered, under circumstances prescribed herein, providing that the provisions hereof shall not be applicable in instances wherein litigation exists, and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 185 on Third Reading

Senator Hardin moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 185 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Cotten
Beck	Graves
Brownlee	Hardin
Burns	Head
Collie	Hill

Isbell	Roberts
Kelley	Shivers
Lanning	Small
Lemens	Spears
Martin	Stone
Metcalfe	of Galveston
Moffett	Stone
Moore	of Washington
Nelson	Van Zandt
Pace	Weinert
Redditt	Winfield

Absent—Excused

Sulak

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Moffett
Beck	Moore
Brownlee	Nelson
Burns	Pace
Collie	Redditt
Cotten	Roberts
Graves	Shivers
Hardin	Small
Head	Spears
Hill	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Van Zandt
Martin	Weinert
Metcalfe	Winfield

Absent—Excused

Sulak

Adjournment

Senator Van Zandt moved that the Senate adjourn until 10:00 o'clock a. m. tomorrow.

The motion prevailed; and the Senate, accordingly, at 5:15 o'clock p. m., adjourned until 10:00 o'clock a. m. tomorrow.

APPENDIX

Reports of Committees on Enrolled and Engrossed Bills

Austin, Texas,
March 17, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 271 carefully examined, compared and read, and find same correctly enrolled.

STONE of Galveston, Chairman.

Austin, Texas,
March 17, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 252 carefully examined, compared and read, and find same correctly enrolled.

STONE of Galveston, Chairman.

Austin, Texas,
March 17, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 398 carefully examined, compared and read, and find same correctly engrossed.

LANNING, Chairman.

Austin, Texas,
March 17, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 275 carefully examined, compared and read, and find same correctly engrossed.

LANNING, Chairman.

In Memory of
Hon. J. J. Olsen

Senator Aikin offered the following resolution:

(Senate Resolution 44)

Whereas, The Supreme Architect of the Universe has in His wisdom called from our midst the Honorable J. J. Olsen, and

Whereas, Mr. Olsen was a distinguished member of the House of Representatives and had served his State well, and

Whereas, He was respected by every member of this body and held in high esteem as a man and as a colleague, now, therefore, be it

Resolved, By the Senate of Texas, That we desire to express our sincere and heartfelt sympathy to the members of his family and his many friends all over our great State and that when the Senate adjourns today that it do so out of honor and respect to our distinguished friend and colleague; and also, be it further

Resolved, That copies of this resolution be sent to members of his family.

AIKIN.

Signed—Aikin, Beck, Brownlee, Burns, Collie, Cotten, Graves, Hardin, Head, Hill, Isbell, Kelley, Lanning, Lemens, Martin, Metcalfe, Moffett, Moore, Nelson, Pace, Redditt, Roberts, Shivers, Small, Spears, Stone of Galveston, Stone of Washington, Sulak, Van Zandt, Weinert, Winfield.

The resolution was read.

On motion of Senator Stone of Washington and by unanimous consent, the names of all Senators were added to the resolution as signers thereof.

The resolution was adopted unanimously by a rising vote.